

REMARKS

This is in response to the final Office Action dated January 4, 2012 and follows an interview between Applicant's attorneys, Chris J. Volkmann and Brian Haslam, and Examiner Gilkey conducted on March 14, 2012.

In the Office Action, claims 11, 13-18, 38-43, 45, 46, and 48-54 were pending and were rejected. In view of the following, reconsideration and allowance of the application are respectfully requested. All references to the present application will be made with respect to the published version at US PAP 2005/0096955.

Interview Summary

During the interview, Applicant discussed the cited references and the present claim amendments. As discussed in further detail below, Applicant contended that the Beran, Heimerman, and Hajmiragha references do not teach or suggest several features of the presently amended claims. The Examiner provided suggestions for clarifying the claim language, which Applicant believes has been incorporated in the present claim amendments.

The Examiner indicated that the present amendments overcome the current rejections of the claims, and stated that she would have to update her search before issuing a subsequent action. Applicant respectfully thanks the Examiner for her time and consideration in conducting the interview.

Claim Objections

Page 2 of the Office Action identified a claim numbering error. Herewith, Applicant has renumbered the claims as indicated by the Examiner. Withdrawal of the claim objection is respectfully requested.

Claim Rejections 35 U.S.C. §103

Claims 11, 13-18, 38-41, 43, 45-46, and 48-54 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Beran et al. (U.S. PAP 2002/0055888; hereinafter Beran), in view of Hajmiragha (U.S. Patent No. 6,289,460), and further in view of Heimermann et al. (U.S. Patent No. 7,110,976; hereinafter Heimermann). Herewith, claims 13-18 and 51 have been cancelled.

Claim 11

With this response, Applicant has amended independent claim 11 to further clarify and distinguish claimed subject matter. As amended, claim 11 recites in part:

“... *displaying a predetermined RFQ template having a plurality of displayed fields...* ;
using the RFQ generation engine at the requester computing system to enter the job
information into the plurality of displayed fields, the plurality of displayed fields
comprising:

...

*a geographic location field receiving a location for the item to be supplied,
a delivery date field receiving a delivery date for the requested job,*

...

*an award criteria field receiving an indication of criteria considered in
awarding the requested job to a supplier, the criteria indicating
the delivery date field and price,...*

receiving, at the requester computing system, an RFQ reply based on the RFQ template
from one or more suppliers, the RFQ reply including the delivery date and the
price; and

*the processor evaluating at the delivery date and the price specified by the RFQ reply, and
identifying a winning supplier based on the evaluation.”*

Claim 11, (Emphasis added)

Applicant notes that support for the amendment can be found at least at FIGS. 5A, 5B and 7, and pages 17-19, 26-27 in the Specification.

The cited references do not teach *an award criteria field receiving an indication of criteria considered in awarding the requested job to a supplier*. The Examiner acknowledges that Beran and Hajmiragha do not teach or suggest an award criteria field. The cited Heimermann reference describes a system for transaction processing that includes a “Central Procurement Authority (CPA).” Cited column 2, lines 14-18 describe posting orders in an Internet website procurement forum as solicitation for bids. Website market participants bid to

fill part or all of any posted order and “this bidding is done in a “reverse-auction” manner (i.e., the lowest-priced bid is presumptively successful).” Section II. C., which includes the above cited section of Heimermann, describes the posting and acceptance of the bids. The subsequent section including column 2, lines 54+ and cited column 30, line 51 - column 31, line 28 describe the shipping/delivery arrangements “upon acceptance of a bid” (column 20, line 36- 54). That is, Heimermann describes selection of a shipping arrangement after selection of a winning bid. There is no teaching in Heimermann of a field by which award criteria can be flexibly selected based on one or more fields specified *in an award criteria field*. In Heimermann, there is not a field of the alleged RFQ template.

In addition, the cited references do not teach *a processor evaluating at least the delivery date* and the price, and identifying a winner supplier based on the evaluation. For example, as discussed previously, Heimermann teaches awarding an RFQ based only on price (bid) and then awarding shipping. Here again, the cited references do not teach an award field that can indicate the other fields to evaluate in the automatic evaluation. More specifically, the cited references do not teach automatically evaluating *delivery date* as well as price when determining a winning supplier. Because the cited references do not consider delivery date in an automatic evaluation, they do not teach *automatically evaluating at least the delivery date and the price*. Furthermore, the cited references do not teach displaying a *predetermined RFQ template having a plurality of displayed fields and a textual label for each of the fields identifying a type of information in the field*. Heimermann does not teach an RFQ template including award criteria indicative of criteria considered in awarding a requested job to a supplier. The cited shipper determination beginning at col. 30, line 51 describes criterion for which shipper to award shipper after bid acceptance. Even if this determination includes award criteria, which Applicant does not concede, Heimermann again does not teach or suggest a field of an RFQ template that identifies a displayed delivery date field in the RFQ template, so Heimermann could not teach displaying such a field or using such a field in an automatic evaluation.

Applicant has also amended claim 11 to *recite job information comprising “an item field receiving an indication of an item to be shipped”, “a quantity field receiving a quantity of item to be supplied”, “a geographic location field receiving a location for the item to be*

shipped”, and “a date of delivery field receiving a delivery date for the requested job.” Fig. 5B is reproduced below:

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RFQ TEMPLATE
CATEGORY: SIC CODE
JOB DESCRIPTION: COMMERCIAL PAINTING
ITEM: BICYCLE FRAMES
NUMBER: 250
DATE OF DELIVERY: MM/DD/YY
GEOGRAPHIC LOCATION: NEW YORK
QUALITY STANDARDS: SPECIFICATION OF PAINT
DETAILS: PAINT PROCESS STEPS REQUIRED
OPTIONAL SUPPLIER PREDESIGNATION
AWARD CRITERIA: ALL AND PRICE
RFQ EXPIRATION DATE: MM/DD/YY
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FIG. 5B

Present Application, FIG. 5B

Applicant respectfully contends that the cited references do not teach or suggest an RFQ template having displayed fields as claimed. On page 26, the Office Action alleges that Beran discloses a geographic location. However, what Beran is describing is that a system administrator enters agency information. It does not appear to pertain to an item to be shipped, let alone describe or suggest a displayed field of an RFQ template where a requester enters job information as claimed. At least because the cited references do not teach an RFQ template comprising “an item field receiving an indication of an item to be shipped”, “a quantity field receiving a quantity of item to be supplied”, “a geographic location field receiving a location for the item to be shipped”, and “a date of delivery field receiving a delivery date for the requested job,” claim 11 is not anticipated nor rendered obvious.

For at least these reasons, Applicant respectfully contends that independent claim 11 is neither taught, suggested, nor rendered obvious by the cited references and is in allowable form.

Claim 38

Applicant has amended independent claim 38 to further clarify and distinguish claimed subject matter. As amended, claim 38 recites in part:

“... a description field of the requested job,
an item field including an indication of an item to be supplied,
a quantity field including a quantity of item to be supplied,
a geographic location field including a location for the item to be supplied,
an award criteria field for the requested job, the award criteria field identifying one or more other fields in the RFQ template and being indicative of criteria considered in awarding the requested job to a supplier,
a supplier predesignation field indicative of suppliers authorized to reply to the RFQ template,
... determine whether a location in the location field meets filter criteria;
in response to determining the location does not meet filter criteria, the processor rejecting the RFQ template;
use an RFQ reply engine at the supplier computing system *to determine whether the supplier is authorized* to reply to the RFQ template by analyzing the supplier predesignation field,
if the supplier is authorized to reply, the processor generating a reply to the RFQ template by evaluating the requested job described in the fields of the RFQ template and providing information requested in the RFQ template; and
transmit the reply from the supplier computing system to a manufacturer computer system that generated the RFQ template.”

Claim 38, (Emphasis added)

Support for these amendments to claim 38 can be found at least at FIG. 6, and pages 18-19 and 22-25 of the Specification.

The cited references do not teach or suggest *determining whether a location in the location field meets filter criteria*. On page 29, the Office Action alleges that paragraph 19 of Beran discloses a location field. However, Beran merely mentions a system administrator entering data “associated with a given agency” and does not teach or suggest a displayed location field in an RFQ template. Moreover, since the cited references do not teach a displayed location field, they also do not teach determining whether a location in a location field meets filter criteria and automatically rejecting an RFQ template, as claimed.

In addition, the cited references do not teach *an award criteria field for the requested job, the award criteria field identifying one or more other fields in the RFQ template*. As discussed previously, the cited references do not teach a field that refers to other fields within an RFQ template that describe the award criteria.

Further, the cited references do not teach a *supplier predesignation field*. For example, the predesignation field may indicate suppliers that may reply. At least because the cited references do not teach a *supplier predesignation field*, the cited references could not teach using the field to *determine whether the supplier is authorized to reply to the RFQ template*. Accordingly, claim 38 is not anticipated or suggested by the cited references.

Still further, in rejecting claim 38 the Office Action “interprets [data page 700] as an RFQ reply engine”, citing paragraph 60 of Beran. This section describes that the vendor “logs into the system” and completes the response data page 700. It does not teach or suggest a processor generating a reply to an RFQ template by evaluating a requested job described in fields of an RFQ template.

For at least these reasons, Applicant respectfully contends that independent claim 38 is neither taught, suggested, nor rendered obvious by the cited references and is in allowable form.

Claim 45

As amended, claim 45 recites in part:

“...the RFQ template having a plurality of displayed job information fields and a textual label for each of the fields identifying a type of information in the field, the plurality of fields including:

...

*a location field,
a supplier pre-designation field,
a quality standards field, and
an award criteria field;*

...
receiving manufacturer filter criteria into the supplier pre-designation field indicative
of particular suppliers that are authorized to reply to the RFQ template;
receiving, in the location field, a geographic location of the manufacturer;
receiving award criteria into the award criteria field indicative of criteria considered in
awarding the requested job to a supplier, *the award criteria field identifying one
or more other fields in the RFQ template;*
receiving criteria into the quality standards field indicating quality standards which are
to be met by the supplier;

...
*the processor evaluating the supplier terms in each of the RFQ replies based on the
award criteria in the saved RFQ template.”*

Claim 45, (Emphasis added)

Support for these amendments to claim 45 can be found at least at FIGS. 5A, 5B, 6, and 7, and pages 17-19 and 22-27 of the Specification.

The cited references do not teach or suggest an award criteria field that identifies one or more other fields in the RFQ template. As discussed previously, the cited references do not describe a field that refers to other fields within an RFQ template that describe award criteria. The Examiner acknowledges that Beran and Hajmiragha do not teach or suggest an award criteria field. However, the cited Heimermann reference describes the posting and acceptance of the bids, and the shipping/delivery arrangements “upon acceptance of a bid” (column 20, line 36-54). That is, Heimermann describes selection of a shipping arrangement after selection of a winning bid. There is no teaching in Heimermann of a field by which award criteria can be

flexibly selected based on one or more fields specified *in an award criteria field*. In Heimermann, there is not a field of the alleged RFQ template.

Furthermore, because the cited references do not teach or suggest an award criteria field in an RFQ template, they also cannot be said to teach or suggest *“the processor evaluating the supplier terms in each of the RFQ replies based on the award criteria in the saved RFQ template”* as claimed. Heimermann does not teach award criteria indicative of criteria considered in awarding a requested job to a supplier. The cited shipper determination beginning at col. 30, line 51 describes criterion for which shipper to award shipper after bid acceptance. Even if this determination includes award criteria, which Applicant does not concede, Heimermann again does not teach or suggest a field of an RFQ template that identifies one or more other fields in the RFQ template, so Heimermann could not teach displaying such a field or using such a field in an evaluation.

Further still, the cited references do not teach a *supplier predesignation field*. For example, the predesignation field may indicate suppliers that may reply. The alleged supplier predesignation field in Hajmiragha (citing col. 7, lines 33-54) pertains to a process flow definition process and “defines a set of generic condition rules specific to the document type.” It does not pertain to an RFQ template, let alone a displayed field of an RFQ template that receives filter criteria as claimed.

Further still, the cited references do not teach or suggest an RFQ template having a plurality of displayed fields as claimed. Amended claim 45 recites a textual label for each of the fields and that the fields include *“a delivery date field, a location field,...a quality standards field.”* The Office Action alleges that paragraph 19 of Beran discloses a location field. However, what Beran is describing is that a system administrator enters agency information. It does not teach or suggest a displayed location field in an RFQ template.

The Office Action acknowledges that the cited references do not teach or suggest a quality standards field. On page 26, the Office Action alleges that

“a field for specifying quality standards is a label for the items and adds little, if anything, to the claimed acts or steps and thus does not serve to distinguish over the prior art. Any differences related merely to the meaning and information conveyed through labels (i.e., the type of item) which does not explicitly alter or impact the steps of the method does not patentably distinguish the claimed invention...”

Amended claim 45 explicitly recites a textual label for the quality standards field and that criteria is received into the quality standards field. Applicant contends that this is a positive limitation in the claim and cannot be ignored. The Examiner has not found any teaching or suggestion in the cited references of a displayed field provided in a template that receives criteria as claimed.

For at least these reasons, Applicant respectfully contends that independent claim 45 is neither taught, suggested, nor rendered obvious by the cited references and is in allowable form.

Further, Applicant contends that related dependent claims 39-41, 46, 48-50, and 53-61 are also in allowable form at least based on their relation to independent claim 11, 38 and 45, discussed above.

Conclusion

The foregoing remarks are intended to assist the Office in examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered exhaustive of the facets of the claimed subject matter, which are rendered patentable, being only examples of certain advantageous features and differences, which Applicant's representative chooses to mention at this time. For the foregoing reasons, Applicant reserves the right to submit additional evidence showing the claimed subject matter to be unobvious in view of the art of record.

Furthermore, in commenting on the references and in order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between the references and language of the claims have been mentioned, even though such differences may not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions to create any implied limitations in the claims. In view of the foregoing, it is submitted that all pending claims are in condition for allowance. Reconsideration and allowance of the application are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

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Respectfully submitted,

MICROSOFT CORPORATION

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